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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/807,983 | 03/24/2004 | Chieko Asakawa | JP920030045US1 | 4455 |

7590 04/07/2006

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EXAMINER

SAIN, GAUTAM

ART UNIT PAPER NUMBER

2176

DATE MAILED: 04/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|-------------------------------|--------------------------------|--|
| Office Action Summary | Application No. 10/807,983 | Applicant(s) ASAKAWA ET AL. | |
| | Examiner Gautam Sain | Art Unit 2176 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 July 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

- 1) This is a Non-Final rejection in response to application filed 7/15/04.
- 2) Claims 1-19 are pending and rejected.
- 3) Effective filing date: 3/28/03.

Claim Rejections - 35 USC § 103

- 4) The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

- 4-1) Claims 1-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Orr et al (US 5895476, issued Apr 20, 1999).**

Regarding claims 1, 6, 8 and 12, Orr suggests means for selecting the display elements based ... exceed a required display area. For example, Orr discloses a design for automatic reformatting for design and media, which fits content to media, where new content is added to the composition, content is readjusted in order to make the information fit within the desired media (col 39, lines 35-67) based on a priority from the priority list (col 35, lines 21-25). Orr does not expressly teach means for setting a merging relationship among regions ... included in the document, but with Orr's teachings, it would have been obvious to one of ordinary skill in the art. For example, Orr discloses components being placed in a location that overlaps within the region occupied by the parent component, yet in a different orientation (col 30, line 60 – col 31, line 5).

It would have been obvious to one of ordinary skill in the art at the time of the invention to interpret Orr to include placing components in a location that overlaps within the region occupied by the parent, yet in a different orientations as equivalent as taught by Orr to a merging relationship, providing the benefit of having the user author a document once and then having a system to adapt the document automatically for changes in the design or output media while maintaining the relationships between content elements of the document (col 2, lines 43-47).

Regarding claims 2, 9 and 13, Orr suggests means for deciding ... displayed regions is required. For example, when a child component is being placed at a distance from the region occupied by the parent components, a decision has to be made such as left-hand side or a right-hand side of the region to display the component (col 30, line 60 – col 31, line 4).

Regarding 3, 10 and 14, Orr suggests means for creating control ... required display area. For example, most media is limited and adjustment may be needed to make the media fit 'within' the media (col 39, lines 35-45). The concept of 'within' suggest that more content of media exists that there is space allocated for it, which is equivalent to the claim language 'too large to fit in the required display area'.

Regarding claims 4, 11 and 15, Orr teaches means for deciding the display ... operation of a user. For example, a user authors a document, thereafter the document reformatting is automatic, upon initiation by the author (col 2, lines 43-47).

Regarding claim 5, Orr suggests changing means ... operation of a user. For example, a user authors a document, thereafter the document reformatting is automatic, upon initiation by the author (col 2, lines 43-47).

Regarding claim 7, Orr suggests means for arraying ... predetermined criterion; means for obtaining a ratio ... length of the region; and means for dividing ... of the display elements. Based on the broadest reasonable interpretation of the claim, the Examiner interprets the concept of the claim as equivalent to performing calculations on the displayed elements and whitespace, in order to provide an interface that is optimally fit for the display region while maintaining referential integrity. Although Orr does not use the express language of the claim such as 'arrayed display elements', Orr does suggest the conceptual quest of the claim language when viewed with the broadest reasonable interpretation under the specification. For example, based on the fixed properties, the image will adjust itself in order to fit in a particular region and will keep its aspect ratio and will automatically adjust its height in order to fit the region taking in consideration a user specification (col 43, lines 4-14). Additionally, Orr does expressly disclose content scale factors for scaling content either up or down in order to assist in fitting all of the content into the available media, including a white space scale factor (col 40, lines 26-48).

Regarding claims 16, 17, 18 and 19, Orr teaches A computer program product ... causing a computer to effect the functions of claim ... Orr discloses processing of data by a computer system to automatic formatting of information for a change in design or a medium with persistent storage (col 1, lines 5-9; col 9, lines 58-65).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gautam Sain whose telephone number is 571-272-4096. The examiner can normally be reached on M-F 9-5 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on 571-272-4136. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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